

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Upon entry of this Amendment, claims 1-13 are pending in the application with claims 1-3, 12 and 13 withdrawn from consideration as being directed to non-elected inventions. In response to the Office Action, Applicant respectfully submits that the pending claims define patentable subject matter. By this Amendment, Applicant has amended claims 4-7 to improve clarity.

As a preliminary matter, Applicant notes that although the Examiner checked box 10 on the Office Action Summary, the Examiner did not check one of boxes 10(a) and 10(b) to indicate that the drawings are either accepted or objected to by the Examiner. Since the "Detailed Action" section of the Office Action did not indicate that the drawings are objected to, it assumed that the Examiner meant to check box 10(a) indicating that the drawings are accepted. Nonetheless, the Examiner is requested to positively indicate acceptance of the drawings in the next action.

Applicant thanks the Examiner for indicating that dependent claims 8, 10 and 11 would be allowable if rewritten in independent form. However, Applicant respectfully requests the Examiner to hold in abeyance the rewriting of these claims until the Examiner has had the opportunity to reconsider the rejected parent claims in light of the arguments presented below in support of the Applicant's traverse of the rejection.

Claims 4, 5, 7 and 9 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yamada (U.S. Patent No. 5,903,113). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada and in view of York (U.S. Patent No. 6,426,581). Applicant

respectfully submits that the claimed invention would not have been anticipated by or rendered obvious in view of the cited references.

Independent claims 4, 5 and 7 are directed to “[a] method for positioning a rotational position sensor for a rotating electric machine, [wherein] the rotational position sensor compris[es] a stator coil wound around a stator; a rotor having ... a signal rotor fixed to a rotation axis thereof; and a detection stator, disposed opposite to the signal rotor, for detecting the rotational position of the rotor”. Claim 4 recites that the rotor includes a magnetic pole. Claim 5 recites that rotor includes a magnetic pole with a field coil. Claim 7 recites that the rotor includes a magnetic pole composed of a permanent magnet.

Yamada discloses a power output apparatus and method of controlling the power output apparatus. The power output apparatus 20 includes a clutch motor 30, an assist motor 40, and a controller 80 for controlling the clutch motor 30 and the assist motor 40. The clutch motor 30 includes an outer rotor 32 linked with a crankshaft 56 of a gasoline engine 50 and an inner rotor 34 connected to a drive shaft 22. The assist motor 40 includes a rotor 42 connected to the drive shaft 22. A control CPU 90 of the controller 80 controls a first driving circuit 91 to enable the clutch motor 30 to carry out a regenerative operation by regenerating energy corresponding to a slip between the outer rotor 32 and the inner rotor 34 as electric power. The control CPU 90 then controls a second driving circuit 92 to enable the assist motor 40 to carry out a power operation with the electric power regenerated by the clutch motor 30, thereby rotating the drive shaft 22 in a direction reverse to the rotation direction of the crankshaft 56. The power output apparatus 20

can transmit or utilize the power generated by the gasoline engine 50 and enable the drive shaft 22 to rotate in the reverse direction of the rotation of the crankshaft 56.

Although the Examiner generally cites Fig. 2, column 9, line 66 - column 10, line 5, and column 11, line 63 of Yamada for disclosing all of the features of the independent claims, Applicant respectfully submits that it is quite clear that Yamada does not teach or suggest the claimed operations of:

constraining the rotor from rotating by energizing the stator coil;
detecting the rotor to be rotated by a predetermined angle or more; and
adjusting the position of the detection stator or the signal rotor so that the
detection stator may have a predetermined signal.

That is, nowhere does Yamada teach or suggest adjusting the position of components of a rotational position sensor. Further, the components of Yamada's power output apparatus cited by the Examiner in support of the rejection do not correspond to the claimed elements of the rotating electric machine. In particular, element 42 does not correspond to the claimed signal rotor, as asserted by the Examiner, since element 42 is the rotor of the assist motor 40. Further, element 43 does not correspond to the claimed detection stator, as asserted by the Examiner, since element 43 is the stator of the assist motor 40. Lastly, element 34 does not correspond to the claimed signal rotor, as asserted by the Examiner, since element 43 is the inner rotor of the clutch motor 30.

Further, Applicant respectfully submits that it is quite clear that York, which the Examiner cites for allegedly disclosing a "magnetic pole iron core [which] is a claw pole", does make up for the above-noted deficiencies of Yamada.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Patent Application No. 10/620,701

In view of the above, we believe that claims 4-7 and 9 should be allowable because the cited references, alone or in combination, do not teach or suggest all of the features of the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Christopher R. Lipp
Registration No. 41,157

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 29, 2005

Attorney Docket No.: Q76496